

Note:
Type or Print Legibly.



City of Seattle CLAIM FOR DAMAGES

CITY USE ONLY	
CLAIM NUMBER	
DATE FILED	

CLAIMANT		NAME (FIRST - MIDDLE - LAST, OR BUSINESS NAME) <u>Mary Celeste Park</u>	DATE OF BIRTH <u>3/9/1958</u>	HOME PHONE <u>(206) 935-6160</u>
CURRENT HOME ADDRESS (NUMBER - STREET - CITY - STATE - ZIP) <u>3416 61st Ave. SW, Seattle, WA 98116</u>		BUS. PHONE <u>None</u>		
HOME ADDRESS AT THE TIME THE CLAIM AROSE (NUMBER - STREET - CITY - STATE - ZIP) <u>(Same as above)</u>		CELL PHONE <u>(206) 209-6707</u>	E-MAIL ADDRESS <u>carolandtom3032@comcast.net</u>	
ACCIDENT/LOSS		DATE <u>On or about August 22, 2012</u>	TIME	DIAGRAM Use if this will help you locate or describe what happened
LOCATION/SITE		<u>Detective Litalien made defamatory per se statements with malice to the press, including but not limited to the Seattle P.I. and the UPI concerning Mary Park. See Exhibits 4 and 5.</u>		
WHAT HAPPENED?		DESCRIBE IN YOUR OWN WORDS HOW THIS LOSS OCCURRED AND WHY YOU BELIEVE THE CITY IS RESPONSIBLE. (additional space on reverse side or attach additional pages and supportive documents as needed)		
Detective Elizabeth Litalien published false, malicious, defamatory per se statements to the press and others, without privilege, accusing Park of theft and abuse of Hermine Berner. Park refers to the claim filed with the City on on 8/15/2014 for additional facts about the illegal investigation and see attached Exhibits.				
NAMES, ADDRESSES, AND PHONE NUMBERS OF ALL PERSONS INVOLVED IN OR WITNESS TO THIS INCIDENT *		CITY DEPT? 1) <u>Det. Elizabeth M. Litalien</u> 2) <u>Casey McNerthney</u> 3) <u>United Press International</u> <u>Badge No. 6289</u> <u>SEATTLEPI.COM</u> <u>1133 19th St. N.W.</u> <u>Seattle Police Department</u> <u>2901 3rd Ave, Ste 120</u> <u>Seattle, WA 98121</u> <u>Washington, DC 20036</u> <u>Ph: (206) 625-5011</u> <u>Ph:(206) 448-8030</u> <u>Ph: (202) 898-8000</u> * See attached Exhibit 2 for additional persons involved in or witnesses to this incident.		
WAS YOUR PROPERTY DAMAGED? (i.e. Home, Auto, Personal Property)		<input type="checkbox"/> YES IF SO, THEN FULLY DESCRIBE - SUCH AS AGE, MAKE, MODEL, CONDITION, VALUE, OR EXTENT OF DAMAGE <input checked="" type="checkbox"/> NO (additional space on reverse side or attach additional pages and supportive documents as needed)		
WERE YOU INJURED?		<input checked="" type="checkbox"/> YES IF YES, THEN COMPLETE THE FOLLOWING: <input type="checkbox"/> NO (additional space on reverse side or attach additional pages and supportive documents as needed)		
DESCRIBE YOUR INJURY (IDENTIFY YOUR DOCTOR(S))		<u>Pain and suffering, loss of reputation, shame, mortification, hurt feelings, emotional distress, costs and attorney fees. See attached Exhibit 3 for names of health care providers.</u>		
WAGE LOSS <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, THEN RATE OF PAY: <u>\$20</u>				
KIND OF WORK <u>Caregiver (at time of incident)</u>		EMPLOYER <u>Capco Liquer Store (presently)</u>		
AMOUNT CLAIMED		\$ <u>1,000,000</u>		
SIGNATURE OF CLAIMANT (AND TITLE, IF A BUSINESS)		I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct		
This claim form must be signed by the Claimant, verifying the claim; or pursuant to a written power of attorney, by the attorney in fact for the claimant; or by an attorney admitted to practice in Washington State on the claimant's behalf; or by a court-approved guardian or guardian ad litem on behalf of the claimant.		EXECUTED this <u>18th</u> day of <u>August</u> , 20 <u>14</u> , At <u>Seattle</u> <u>King</u> County, Washington X Mark J. Wilson, WSBA No. 16675 for Mary Park 500 Union Street, Suite 502, Seattle, WA 98101 Tel: (206) 567-9826; Fax: (206) 567-9827		

PRESENTATION OF A CLAIM

This official City of Seattle document must be signed, and mailed or delivered

Mail to:

CITY CLERK'S OFFICE
PO BOX 94728
Seattle, WA 98124-4728

Deliver to:

CITY HALL
600 Fourth Avenue, 3rd Floor
Between James St. & Cherry St.
Business Hours: Monday-Friday, 8:00 AM-5:00 PM
Closed on Weekends and Official City of Seattle Holidays

An adjuster will be assigned to your claim after it is filed with the City Clerk's Office. **It is to your advantage** to present with your claim relevant supporting documents (receipts, cancelled checks, estimates, billings, etc.) or additional evidence (photos, diagrams, etc.). All documents are subject to the Washington State Public Disclosure Statutes. Additional Claim forms can be downloaded from the Risk Management website. (<http://www.seattle.gov/riskmanagement>)

EXPLANATION OF THE CLAIMS PROCESS

The day after your Claim is filed in the City Clerk's Office, it is delivered to the Claims Section. The Claim is then assigned to an adjuster who will conduct an investigation which includes a written response from the involved department. The Claims Section will then evaluate and recommend a reasonable resolution of your Claim, which will be one of three alternatives

1. Pay a sum of money
2. Tender – transfer to another party or entity responsible for your alleged damage
3. Deny – where there is no evidence of any negligence by the City

If you have any questions, then do not hesitate to call the Claims Section at 206-684-8213.

CS 19.10 REV. 11/09

THIS SPACE PROVIDED FOR ADDITIONAL INFORMATION

Index to Exhibits

1. Description of occurrence and basis of liability (Continued from Page 1)
 2. Additional persons involved in or witnesses to this incident (Continued from Page 1)
 3. Health care providers pertaining to treatment related to this incident (Continued from Page 1)
 4. Seattle Post Intelligencer Article of August 22, 2012, Updated dated October 19, 2012
 5. United Press International (UPI) Article of August 23, 2012
 6. Excerpts of Elizabeth Litalien Deposition
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-
-
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City of Seattle Claim for Damages Form

Claim of Mary Celeste Park

(Defamation Per Se)

EXHIBIT 1

Description of Occurrence and Basis of Liability

(Continued from Page 1)

City of Seattle Claim for Damages Form
Claim of Mary Celeste Park
(Defamation Per Se)

Exhibit 1

Description of Occurrence and Basis of Liability

(Response to “What Happened” Section from Page 1 of August 18, 2014 Claim Form)

1. Mary Park files this claim for money damages against Detective Elizabeth Litalien, of the Seattle Police Department (SPD), for defamation per se.
2. A plaintiff must establish four essential elements for a defamation claim, all of which are present here: (1) falsity; (2) an unprivileged communication; (3) fault; and (4) damages. *Bender v. Seattle*, 99 Wn.2d 582, 599, 664 P.2d 492 (1983). Furthermore, the evidence support’s claim that Litalien acted with actual malice, that is, knowledge of falsity or reckless disregard of the truth or falsity.
3. On January 21, 2014, Litalien was deposed in a civil defamation case Park filed against Judy and Lewis Townsend and Hermine and Emanuel Berner. Exhibit 6. In her deposition, Litalien denied ever talking to the press about her investigation of Park. Exhibit 6, pp. 127-128. This appears to be false. Park has discovered at least two instances where Litalien published defamatory per se statements about Park to the press related to the accusations of theft and abuse that Litalien was actively investigating.
4. The instances Park has discovered so far where Litalien appears to have made statements to the press are defamatory per se. We believe we will discover additional defamatory statements that Litalien tried to conceal.
5. For purposes of this defamation claim, Park refers to the description of events and documents attached to the Claim she filed on August 15, 2014 against the City of Seattle, the Seattle Police Department and Litalien for violation of Mary Park’s constitutional and common law rights arising out of a criminal investigation conducted by Litalien and the unlawful, reckless, malicious, search, seizure, arrest and prosecution of Park without probable cause by Litalien. The facts and documents in support of those claims are relevant to and support Park’s claim of liability against Litalien for defamation per se.
6. As stated in Park’s Claim dated August 15, 2012, Litalien unlawfully, recklessly and maliciously fabricated evidence, concealed exculpatory evidence, swore to false statements before prosecutors and the court and falsely claimed to them that probable cause existed that Park had committed theft.

7. The accusations of theft and abuse against Park were false and Litalien knew or maliciously and recklessly disregarded that fact when she spoke to the press. Under these circumstances, Litalien cannot hide behind her badge and claim immunity from this claim of defamation.
8. As a proximate result of the publication of defamatory per se statements by Litalien to the press, Park has suffered loss of her reputation, shame, mortification, hurt feelings and severe emotional distress.
9. The statements published by Litalien to the SeattlePI.com and the UPI, and perhaps there are many more that she has concealed, are defamatory per se in that they expose Park to hatred, contempt, ridicule, or obloquy so as to deprive Park of the benefit of public confidence or social intercourse, injures her in her business or profession, including but not limited to that of caregiver and falsely imputes to her criminal conduct involving moral turpitude. Should this case go to trial and because Litalien committed defamation per se, the jury will be permitted to presume damages for loss of reputation without any necessity that Park prove actual monetary damages.
10. The damages suffered by Park as a proximate result of Litalian's defamation per se are in excess of \$1,000,000.

Thank you for your consideration of this claim. If you require any additional information, please do not hesitate to contact Mary Park's legal counsel, as follows:

Mark J. Wilson
Attorney at Law
500 Union Street, Suite 502
Seattle, WA 98101
Telephone: (206) 567-9826
Fax: (206) 567-9827
e-mail: mjwilson@mjwilsonlawyer.com

City of Seattle Claim for Damages Form

Claim of Mary Celeste Park

(Defamation Per Se)

EXHIBIT 2

Additional Persons Involved in or Witnesses to
this Incident (Continued from Page 1)

City of Seattle Claim for Damages Form

Claim of Mary Celeste Park

(Defamation Per Se)

Exhibit 2

**Additional Persons Involved in or Witnesses to This Incident
(Continued from Page 1)**

Lieutenant Brett J. Rogers
Badge No. 6159
Seattle Police Department
(206) 625-5011

Detective Diane Stone
Seattle Police Department
(206) 625-5011

Donna Stangland
Detective
Seattle Police Department
(206) 625-05011

Sgt. Guy Pratt
Southwest Precinct
Seattle Police Department
(206) 625-05011

Eugene Foster
Detective, Badge #6289
Seattle Police Department
(206) 625-05011

Lt. Pierre Davis
Southwest Precinct
Seattle Police Department
(206) 625-05011

John Henry Browne
108 S. Washington St
Seattle, WA 98104
(206) 388-0777

Suzan R. Wilson
2331 46th Ave SW
Seattle, WA 98116
(206) 935-4744

Judy Townsend
3426 63rd Ave W.
Seattle, WA 98116
(206) 498-7220

Hermine Berner
4021 Beach Dr. SW #202
Seattle, WA 98116
(206) 937-7614

City of Seattle Claim for Damages Form

Claim of Mary Celeste Park
(Defamation Per Se)

EXHIBIT 3

Health Care Providers Pertaining to Treatment
Related to this Incident (Continued from Page 1)

City of Seattle Claim for Damages Form

Claim of Mary Celeste Park

(Defamation Per Se)

Exhibit 3

Health care providers pertaining to treatment related to this incident
(Continued from Page 1)

Primary Care Physician:

Dr. Alice Krehbiel
The Polyclinic
509 Olive Way #900
Seattle, WA 98101
(206) 860-4700

Psychotherapist:

Suzan R. Wilson, M.A., L.M.F.T., L.M.H.C.
2331 46th Ave SW
Seattle, WA 98116
206-935-4744

City of Seattle Claim for Damages Form

Claim of Mary Celeste Park

(Defamation Per Se)

EXHIBIT 4

Seattle Post Intelligencer Article of August 22,
2012, Updated dated October 19, 2012

City of Seattle Claim for Damages Form; Claim of Mary Celeste Park; **EXHIBIT 4:** Seattle Post Intelligencer Article of August 22, 2012 and Update, dated October 19, 2012; From url:

<http://www.seattlepi.com/default/article/Charge-Caregiver-stole-50K-from-woman-91-3807910.php>

The screenshot shows a web browser displaying the Seattle Post Intelligencer (seattlepi.com) website. The main headline is "Charge: Caregiver stole \$50K from woman, 91". Below the headline, it says "Victims kept money in kitch after trauma from World War II". The author is listed as CASEY McERTHNEY, SEATTLEPI.COM STAFF, updated at 9:00 am, Friday, October 19, 2012.

On the left side of the article, there are social sharing buttons for Twitter, Facebook, Google+, and Pinterest, along with links for "Larger | Smaller", "Printable Version", and "Font".

A sidebar on the right contains an update: "UPDATES: The charges against caregiver Mary Park were dismissed without prejudice on Thursday, Oct. 18, 2012, after prosecutors determined they were unable to prove their case at that time. A full report on that dismissal can be found [here](#). The initial report below has not been modified since it was published Aug. 22, 2012."

The main text of the article discusses a 91-year-old woman who kept her savings in her Seattle condo and was victimized by a caregiver during World War II. It also mentions that the woman's family was sent to Auschwitz concentration camp during the war.

Below the main article, there is a video player for a segment titled "How Parkinson's Disease Has Affected Hollywood Entertainment Tonight". The video player shows a play button over a thumbnail of a man in a suit. To the right of the video player, there is a section titled "More videos:" with three smaller video thumbnails.

Under the heading "You Might Also Like", there are five recommended articles with thumbnails and titles:

- "9 Things Around Your House That Need to Go in the Garbage ASAP" (AARP)
- "Hot Pictures of Funny Car Racer Courtney Force" (RantSports)
- "The 12 Most Embarrassing Cars from the Last Decade" (Wall Street Cheat Sheet)
- "Top 10 Shocking TV deaths we're still not over" (TheCelebrityCafe)

At the bottom of the page, there is a section titled "TODAY'S TOP HEADLINES" with a link to "Man dies in skydiving accident in Shelton".

EXHIBIT 4 - page 1 of 2

Exhibit 4 (continued)

Charge: Caregiver stole \$50K from woman, 91 - seattlepi.com - Mozilla Firefox

www.seattlepi.com/default/article/Charge-Caregiver-stole-50K-from-woman-91 Google

On July 31, the elderly mother told her daughter that Park had brought groceries when it was still dark, before 6 a.m. – hours earlier than her usual arrival time – and that she wanted to be let into the condo. The woman told police she let Park into the common area, but not into the condo. The daughter had instructed her mother not to let Park in the residence.

The daughter told Seattle Police Det. Elizabeth Litalien that on Aug. 3 she and her husband searched every part of her parents' condo but could not find the \$50,000 that had been hidden in the pantry. They also couldn't find other cash that her mother had stashed around the residence as a way to feel reassured.

The elderly woman and her daughter told police no one other than Park had been in the condo since Park had found \$50,000 cash, court documents show.

A few days before the money went missing, the 91-year-old said Park talked about putting new contact paper on the kitchen pantry shelves. Police were told that when Park found the \$50,000, the elderly woman gave her \$100.

"Since Mary has left, (the elderly woman) has improved mentally and physically," Litalien wrote. "She is no longer fatigued. (Her daughter) believes that it is possible that Mary was withholding (her mother's) cardiac pulls from her intentionally. (The mother) has not reported that any pills missing since Mary has left."

On Aug. 15, Litalien served a search warrant on Park's West Seattle home.

"I spoke with Mary and she stated that she did not know that (the elderly woman) had \$50,000 in her house," Litalien wrote in a probable cause document. "She said that she never saw the money."

"She stated that when she replaced (the woman's) contact paper that she found \$900 under the contact paper. She said that (the elderly woman) gave her \$100. I asked what had happened to the other \$800 and she said that she gave it back to (the woman) and that she must have listed."

Park told the detective the 91-year-old is very confused. Park also allegedly said she told the daughter about the \$900 right away.

"She offered to give the \$100 back," Litalien wrote. "I confirmed with Judy that Mary had never told her about the money and that \$800 was not located in the ... condo."

Casey McNerthney can be reached at 206-448-8220 or at caseymcnerthney@seattlepi.com. Follow Casey on Twitter at twitter.com/mcnerthney.

TODAY'S TOP HEADLINES

- Man dies in skydiving accident in Shelton
- Woman dies in Seattle house fire
- Deputy finds 2 bodies in home south of Tacoma
- Rick Steves at Hempfest: Protect your civil liberty to smoke a joint
- 10-year-old girl to 911: 'Dad's shooting Mom'
- 2 locals among fastest-growing retailers
- Bikes stolen from couple on transcontinental ride

Most Read

1. Southwest Airlines crew declares emergency
2. Mark Driscoll removed as closing speaker at big church conference
3. None hurt in emergency landing at Utah air base
4. Key events following the death of Michael Brown
5. Man dies in skydiving accident in Shelton
6. VIDEO: Watch Katy Perry Pierce Her Nose
7. Revel wanted to close Atlantic City casino Monday

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From Around the Web

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- [The 10 Costliest Private Jets Owned by Celebrities](#) (*Worthy*)
- [Where Did They Go? 10 Award-Winning Actors Who Don't Act Anymore](#) (*Wall St. Cheat Sheet*)
- [Casey Anthony: Her Strange Life 3 Years Later](#) (*People*)
- [7 Cars That Are 100% Worth Their Price-Tags](#)

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- [Carolyn Hax: My daughter refuses to be seen with my favorite cousin](#)
- [Men live in fear of teenage girls flirting with them](#)
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- [Police sergeant hangs herself after being removed from duties over husband's affair](#)
- [12-year-olds arrested in rape may be charged this week](#)

City of Seattle Claim for Damages Form

Claim of Mary Celeste Park

(Defamation Per Se)

EXHIBIT 5

United Press International (UPI) Article of
August 23, 2012

City of Seattle Claim for Damages Form; Claim of Mary Celeste Park; **EXHIBIT 5**: United Press International (UPI) Article of August 23, 2012; From url:

http://www.upi.com/Top_News/US/2012/08/23/Caregiver-accused-of-stealing-50K/UPI-

The screenshot shows a web browser window with the UPI website loaded. The URL in the address bar is http://www.upi.com/Top_News/US/2012/08/23/Caregiver-accused-of-stealing-50K/UPI-. The page title is "Caregiver accused of stealing \$50K". Below the title, it says "Aug. 23, 2012 at 4:16 PM | 0 Comments (Leave a comment)". On the left, there's a sidebar with social sharing icons and a summary of the story. The main content area has a large image of a woman and text about her being accused of偷窃 \$50,000. To the right, there are sections for "MOST POPULAR" and "TRENDING NEWS" with their respective images and headlines.

TOP NEWS

HOME / TOP NEWS / U.S. NEWS / CAREGIVER ACCUSED OF STEALING \$50K

Caregiver accused of stealing \$50K

Aug. 23, 2012 at 4:16 PM | 0 Comments (Leave a comment)

SEATTLE, Aug. 23
(UPI) -- The caregiver of a 91-year-old Seattle woman is facing charges she stole \$50,000 that had been hidden in a pantry.

Investigators also say Mary Park, who is to be arraigned next week on theft charges, also may have withheld cardiac medication from her charge, the Seattle Post-Intelligencer reported.

Park allegedly found the money after telling the woman she wanted to repaper the pantry shelves. The alleged theft was believed to have occurred July 31 after Park arrived at the victim's condo before 6 a.m., long before she was scheduled to work.

The victim's daughter said Park apparently was dissatisfied she was being paid just \$12 an hour and thought she was being asked to do too much in the two hours a day she worked for the family, Detective Elizabeth Litalien told the newspaper.

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Celebrity Families of 2014 [PHOTOS]

MOST POPULAR

- 1 3-year-old girl killed in police shootout
- 2 BAE Systems builds more offshore patrol boats for Britain
- 3 Eric Holder orders second autopsy for Michael Brown
- 4 Amanda Curtis to replace John Walsh in bid for senate seat
- 5 Who is the new Iraqi prime minister?

TRENDING NEWS

Underwear models are now delivering alcohol to Los Angeles residents

Notable deaths of 2014 [PHOTOS]

Feedback

City of Seattle Claim for Damages Form

Claim of Mary Celeste Park

(Defamation Per Se)

EXHIBIT 6

**Elizabeth Litalien Deposition – Excerpt of
Transcript, VI. 1)**

1 IN THE SUPERIOR COURT FOR THE STATE OF WASHINGTON		Page 1	
2 IN AND FOR THE COUNTY OF KING			
3			
4 MARY CELESTE PARK, an individual,)			
5 Plaintiff,)			
6 vs.) Case No.			
7 JUDY TOWNSEND and LEWIS)			
TOWNSEND, wife and husband and the)			
8 marital community composed thereof,)			
HERMINE BERNER and EMANUEL)			
9 BERNER, wife and husband and the marital)			
community composed thereof,)			
10)			
Defendants.)			
11			
12 VIDEOTAPED DEPOSITION UPON ORAL EXAMINATION			
13 OF			
14 ELIZABETH LITALIEN - VOLUME I			
15			
16 Taken at 1411 Fourth Avenue, Suite 820			
17 Seattle, Washington			
18			
19			
20			
21			
22			
23			
24 DATE TAKEN: January 21, 2014			
25 REPORTED BY: KATHLEEN HAMILTON, RPR, CRR, CCR 1917			
		Page 2	
1 A P P E A R A N C E S		Page 4	
2			
FOR THE PLAINTIFF:			
3			
4 MARK J. WILSON			
5 Law Office of Mark J. Wilson			
502 Logan Building			
500 Union Street			
Seattle, Washington 98101			
6 206.567.9826			
mjwilson@mjwilsonlawyer.com			
7			
8 FOR THE DEFENDANT:			
9			
10 JOHN G. FRITTS			
11 Wilson Smith Cochran &			
12 Dickerson			
13 901 Fifth Avenue			
14 Suite 1700			
15 Seattle, Washington 98164			
16 206.452.8981			
17 fritts@wscd.com			
18 THE VIDEOGRAPHER: LEO SANTIAGO			
19 ALSO PRESENT: MARY PARK			
20			
21			
22			
23			
24			
25			
* * * * *			

Page 125	Page 127
<p>1 never even said one word that she took the money.</p> <p>2 "Litalien: After you accused her of taking the</p> <p>3 money, did she come back? Besides the groceries, did she</p> <p>4 come back to work?</p> <p>5 "No, she didn't. No."</p> <p>6 And next page,</p> <p>7 "Litalien: And do you think that's about the time</p> <p>8 she -- what -- was the last day she worked here, is that</p> <p>9 the day she left you in the bathtub?</p> <p>10 "Berner: Yeah.</p> <p>11 "Litalien: Had she ever done that before?</p> <p>12 "Berner: No. No, she -- she didn't."</p> <p>13 So does that satisfy -- did that satisfy you at the</p> <p>14 time that Hermine was telling you the truth about Mary's</p> <p>15 treatment of her?</p> <p>16 A. No. Did it satisfy me? I would say that I already</p> <p>17 knew she was experiencing, you know, what -- what was being</p> <p>18 described as PTSD. She was having flash -- alleged flashbacks.</p> <p>19 She was agitated.</p> <p>20 So, no, I wouldn't say it satisfied me. I think there</p> <p>21 were problems when the camera would go on. When the camera</p> <p>22 went on, she totally, you know, trans -- I shouldn't say</p> <p>23 totally transformed, but she became -- using the word nervous,</p> <p>24 but it's more she -- I guess she became nervous and she was too</p> <p>25 focused on the fact that she was being videotaped.</p>	<p>1 interview with her, because our recorded interviews are almost</p> <p>2 always transcribed, and we like to keep them narrowed down as</p> <p>3 best as we can. We don't want to hand over a transcription</p> <p>4 that's an hour long.</p> <p>5 So I tend to go over with the complainant, with the</p> <p>6 victim usually what happened, and then at a later time I go</p> <p>7 back and take an -- and do an interview when I can just narrow</p> <p>8 it down much more. And especially in Judy's case, she goes off</p> <p>9 on tangents.</p> <p>10 Q. Shouldn't you have done that before you had Mary</p> <p>11 arrested?</p> <p>12 A. I don't feel I needed to, no. I felt Judy was</p> <p>13 consistent in what she told me when I talked to her each time.</p> <p>14 Q. Did you understand the gravity of arresting Mary for</p> <p>15 this -- for this crime of abusing and stealing from her ward</p> <p>16 when she's a caretaker? Did you know how serious that was?</p> <p>17 A. Yes.</p> <p>18 Q. Do you know how much publicity that incident caused in</p> <p>19 this -- in this community?</p> <p>20 A. No.</p> <p>21 Q. Did you see any of the press reports?</p> <p>22 A. No.</p> <p>23 Q. You didn't see CNN? You didn't see Q13? KOMO 4?</p> <p>24 A. No.</p> <p>25 Q. None of that?</p>
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<p>1 She was much more relaxed when the videotape was off.</p> <p>2 I was not satisfied with her interview. I mean, I think that</p> <p>3 she was exhibiting signs of nervousness, confusion.</p> <p>4 Q. You -- you took Judy's interview on videotape on</p> <p>5 September 20th, didn't you?</p> <p>6 A. No. Judy? No.</p> <p>7 Q. Judy?</p> <p>8 A. Are you talking about audio? It's audio.</p> <p>9 Q. Audio.</p> <p>10 A. Recorded.</p> <p>11 Q. Oh, okay. I'm sorry. So you audio taped an interview</p> <p>12 with Judy on September 20th, which is after the criminal</p> <p>13 complaint -- well, your -- your Certification for Probable</p> <p>14 Cause was filed with the court; correct?</p> <p>15 A. Correct.</p> <p>16 Q. Okay. That was in October. I'm sorry. That was --</p> <p>17 that was on August 17th. And so in September, a little more</p> <p>18 than a month later, you interviewed Judy on -- on audio tape.</p> <p>19 Why -- why did you do that at that time?</p> <p>20 A. Because it's -- it's long and involved, and Judy can</p> <p>21 go off on tangents and other things. My initial -- my</p> <p>22 initial -- initially I just wanted to get the story down, what</p> <p>23 was being told, what was alleged to have happened. And that I</p> <p>24 did with her over the phone.</p> <p>25 But right off the bat, I didn't take a recorded</p>	<p>1 A. No.</p> <p>2 Q. Did you ever talk to the press?</p> <p>3 A. No.</p> <p>4 Q. Were you ever contacted by the press?</p> <p>5 A. I do not recall being contacted by the press.</p> <p>6 Q. So af -- before you took -- I'm sorry. So you -- you</p> <p>7 sought and submitted an affidavit in support of a search</p> <p>8 warrant, didn't you?</p> <p>9 A. Yes.</p> <p>10 Q. Let me get that. Did you also request an arrest</p> <p>11 warrant?</p> <p>12 A. No.</p> <p>13 Q. Why not?</p> <p>14 A. We don't do that.</p> <p>15 Q. What don't you do?</p> <p>16 A. An arrest warrant, I would have no reason to request</p> <p>17 an arrest warrant. I arrested her and placed her into jail. A</p> <p>18 warrant would be if she failed to, I guess -- well, if I -- if</p> <p>19 I didn't know where she was and couldn't arrest her at the time</p> <p>20 that I wanted to arrest her, then I would request -- well,</p> <p>21 actually, I would just LODI (phonetic) the case with the</p> <p>22 prosecutor's office and they would put out a warrant out for</p> <p>23 her arrest when she didn't show up at court. So I guess it</p> <p>24 would be -- not be my way of operating.</p> <p>25 Q. Well, not your way of operating, but why did you</p>